

03-29-01

03/27/01

## **PATENT APPLICATION**

ATTORNEY DOCKET NO. 23-002

Express Mail Label No. EL735224277US

**IN THE U.S. PATENT AND TRADEMARK OFFICE**  
**Patent Application Transmittal Letter**

**COMMISSIONER FOR PATENTS  
Washington, D.C. 20231**

Sir:

Transmitted herewith for filing under 37 CFR 1.53 (b) is a:

Utility       Design Application  
 Original patent application  
 continuation-in-part application

**INVENTOR(S):** Ricardo H. Bruce and Rolando H. Bruce

**TITLE: METHOD AND APPARATUS FOR DATA RECOVERY**

**Claim Small Entity Status**

Enclosed are:

Specification  
 Application Data Sheet(s)  
 Declaration and Power of Attorney       signed       unsigned or partially signed  
 8 sheets of drawings (one set)       Associate Power of Attorney  
 Non-Publication Request and Certification Form  
 Information Disclosure Statement and Form PTO-1449 with Cited References  
 Assignment       Recordation Form Cover Sheet (with duplicate copy)  
 Priority Document(s)  
 Return Acknowledgement Postcard  
 (Other) \_\_\_\_\_ (fee \$ \_\_\_\_\_)

The filing fee has been calculated as shown below:

(1) FOR	(2) NO. FILED	(3) NO. EXTRA	(4) RATE	(5) AMOUNT
TOTAL CLAIMS	21	minus 20	1	\$ 9.00
INDEPENDENT CLAIMS	3	minus 3	0	\$ 40.00
MULTIPLE DEPENDENT CLAIM(S)			\$ 135.00	\$ 0.00
BASIC FEE: <input checked="" type="checkbox"/> Utility; <input type="checkbox"/> Design				\$ 355.00
Total of above calculations				\$ 364.00
Assignment Recordation Fee				\$ 40.00
TOTAL FEE				\$404.00

Charge \$404.00 to Deposit Account 50-0374. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-0374 pursuant to CFR 1.25. Additionally please charge any fees to Deposit Account 50-0374 under 37 CFR 1.16, 1.17, 1.19, 1.20, and 1.21. A duplicate copy of this sheet is enclosed.

**Correspondence Address:**

Respectfully Submitted,

**CUSTOMER NO. 22898**

Mikio Ishimaru  
Mikio Ishimaru  
Registration No. 27,449  
Date: March 27, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Ricardo H. Bruce
Title	METHOD AND APPARATUS FOR DATA RECOVERY
Atty Docket Number	23-002

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 27, 2001

Date

*Mikio Ishimaru*

Signature

Mikio Ishimaru

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**